

Amendments to the Claims

Claim 1-5, 7-14, 17, 19, 24-29 are being amended, and claims 16 and 21-23 are being canceled (claim 15 was previously canceled). All the claims and their status are listed below, including those that remain unchanged.

1. (Currently Amended) A prescription method to create a treatment strand plurality of treatment strands, comprising the steps of:

accepting a tissue treatment plan for the tissue to be treated, which treatment plan specifies a number and spacing of treatment seeds to be provided in each of a plurality of treatment strands that includes a distal end and a proximal end, where the distal end is intended to be implanted prior to the proximal end; and

creating the plurality of treatment strands so that the treatment strands satisfy the treatment plan when distal ends of the treatment strands are implanted into a patient to the same depth using needles that are inserted into the patient to the same depth; according to said tissue treatment plan without using pre-fabricated spacers; and

wherein at least two of the plurality of treatment strands have a custom distal end spacing between the distal end of each treatment strand and the adjacent treatment seed to thereby enable the treatment plan to be satisfied when the distal ends of the plurality of the treatment strands are implanted to the same depth using needles that are inserted to the same depth; and

wherein the custom distal end spacings of at least two of the plurality treatment strands have different lengths.

2. (Currently Amended) The method of claim 1, wherein:

said step of creating the plurality of treatment strands is performed by includes positioning radioactive seeds in a mold and pouring introducing into the mold a material to mold the radioactive seeds in place.

3. (Currently Amended) The method of claim 2, wherein the pouring step further comprises pouring said material that introduced into the mold is bio-absorbable.

4. (Currently Amended) The method of claim 2, wherein the ~~pouring step further comprises~~ pouring said material introduced into the mold that is a polymer.

5. (Currently Amended) The method of claim 1, further comprising the steps of: aligning the created plurality of treatment strands in a template.

6. (Previously presented) The method of claim 5, wherein all of the plurality of created treatment strands are the same length.

7. (Currently Amended) A prescription method to create a ~~treatment~~ plurality of treatment seed strands for treating tissue, comprising the steps of:

~~first-accepting a tissue treatment plan for the tissue to be treated, said treatment plan specifying a number and spacing of a plurality of treatment seeds for each of a plurality of respective said treatment seed strands that includes a distal end and a proximal end, where the distal end is intended to be implanted prior to the proximal end; and~~

~~second; creating the plurality of treatment stranding, including providing a custom distal end spacing on each of the plurality of treatment seed strands to thereby enable the treatment seeds located adjacent to the distal ends of the treatment seed strands to be properly spaced relative to the distal ends of the treatment seed strands, in accordance with the treatment plan, when the distal ends of the plurality of the treatment seed strands are implanted to the same depth using needles that are inserted to the same depth; and~~

~~third creating the plurality of treatment seed strands by molding said treatment seeds in a material;~~

wherein the custom distal end spacings of the at least two of the plurality treatment seed strands have different lengths.

8. (Currently Amended) The method of claim 7, wherein:

~~said first-accepting step further comprises~~ includes accepting said tissue treatment plan created with the use of a computer program.

9. (Currently Amended) The method of claim 7, wherein:  
said first accepting step further comprises includes accepting a treatment plan that specifies a number of radioactive seeds and a desired spacing between each pair of the radioactive seeds; and  
wherein said creating step further comprises includes creating the plurality of treatment seed strands to the specified desired spacing.

10. (Currently Amended) The method of claim 7, wherein:  
said creating step is performed by includes positioning radioactive seeds in a mold at the desired spacings and pouring in a introducing a material to mold with the plurality of radioactive seeds in place in the desired spacings.

11. (Currently Amended) The method of claim 10, wherein said pouring step further comprises pouring said the material that is bio-absorbable.

12. (Currently Amended) The method of claim 10, wherein said pouring step further comprises said the material that is a polymer.

13. (Currently Amended) The method of claim 10, wherein:  
said first accepting step further comprises includes using the tissue treatment plan wherein the tissue treatment plan is created using an imaging device.

14. (Currently Amended) A therapeutic device kit comprising:  
a plurality of seed strands configured to be implanted into a patient to the same depth using needles that are inserted into the patient to the same depth, each having a length with a distal end;  
a plurality of seeds provided along the length of each of the seed strands; the plurality of seeds being provided at spaced intervals along the length of each of the seed strands without the use of pre-fabricated spacers; and  
custom end spacings according to a treatment plan provided between the seed located adjacent to the distal end of each of said seed strands and the distal end of each said seed strand, said custom end spacings created without use of pre-fabricated spacers;  
wherein the custom end spacings cause the seeds located adjacent to the distal ends of the

seed strands to be properly spaced relative to the distal ends of the seed strands, according to the treatment plan, when the distal ends of the plurality of seed strands are implanted to the same depth using needles inserted to the same depth; and

wherein the custom end spacings of at least two of said plurality of seed strands have different lengths.

15. (Canceled)

16. (Canceled)

17. (Currently Amended) A prescription method to create a treatment strand, the method comprising the steps of:

accepting a tissue treatment plan for the tissue to be treated, which treatment plan specifies a number and spacing of treatment seeds to be provided in the treatment plan and which specifies custom end spacings between an end seed in the strand and the end of the strand; and

creating a treatment strand that includes a custom distal end spacing that causes the treatment seed located adjacent to a distal end of the treatment strand to be properly spaced relative to the distal end of the treatment strand, according to the plan without the use of pre-fabricated spacers, when the distal end of the treatment strand is implanted into a patient to a predefined depth using a needle that is inserted into the patient to the predefined depth.

18. (Previously presented) A method of treating a patient with a plurality of treatment strands wherein each of said plurality of treatment strands has a plurality of spaced seeds and custom end spacings between a distal end seed in the strand and a distal end of the seed strand, the method comprising the steps of:

implanting a first strand at a desired location at a depth; and

implanting the remainder of the plurality of seed strands at a plurality of respective desired locations to the depth of the first strand.

19. (Currently Amended) A prescription method to create a treatment seed strand, the method comprising the steps of:

first-accepting a tissue treatment plan for the tissue to be treated, said treatment plan specifying a number and spacing of a plurality of treatment seeds for each of a plurality of respective treatment seed strands;

second-creating the plurality of treatment seed strands from a material without using pre-fabricated spacers; and

third-providing a custom distal end spacing on each of the plurality of treatment seed strands without using pre-fabricated spacers;

wherein the custom distal end spacings cause the treatment seeds located adjacent to distal ends of the treatment seed strands to be properly spaced relative to the distal ends of the treatment seed strands, according to the treatment plan, when the distal ends of the plurality of treatment seed strands are implanted to the same depth using needles inserted to the same depth; and

wherein the custom distal end spacings of at least two of said plurality of seed strands have different lengths.

20. (Previously presented) The method of claim 18 further comprising selecting at least two treatment seed strands that have custom end spacings of different lengths.

21. (Canceled)

22. (Canceled)

23. (Canceled)

24. (Currently Amended) A prescription method to create a treatment seed strand, the method comprising the steps of:

first-accepting a tissue treatment plan for the tissue to be treated, said treatment plan specifying a number and spacing of a plurality of treatment seeds for each of a plurality of respective treatment seed strands; and

second-creating the plurality of treatment seed strands from a material without using pre-fabricated spacers; and, such that each of the plurality of treatment seed strands includes third providing a custom distal end spacing on each of the plurality of treatment seed strands without using

~~pre-fabricated spacers, wherein the custom distal end spacing is determined by the treatment plan; , and wherein the custom distal end spacing on each of the plurality of treatment seed strands allows a health care professional to insert each of the plurality of treatment seed strands to a uniform depth in the tissue to be treated; and~~

wherein the custom distal end spacing on at least two of said plurality of treatment seed strands have different lengths.

25. (Currently Amended) A method of treating a patient with a plurality of treatment strands wherein each of said plurality of treatment strands has a plurality of seeds spaced without using pre-fabricated spacers and a custom end spacing between a distal end seed of the treatment strand and a distal end of the treatment strand, said custom end spacing set without using pre-fabricated spacers, the method comprising the steps of:

implanting a first treatment strand at a desired location such that the distal end of the first treatment strand is implanted at a depth; and

implanting the remainder of the plurality of treatment strands at a plurality of respective desired locations with the distal ends of the plurality of the treatment strands implanted to the same depth of the first strand, wherein the each distal end seed of each at least two of said plurality of treatment strands are implanted to can be at a different depth depths due to the respective custom end spacing of the at least two treatment strands having different lengths.

26. (Currently Amended) A prescription method to create a treatment strand, the method comprising the steps of:

accepting a tissue treatment plan for the tissue to be treated, which treatment plan specifies a number and spacing of treatment seeds to be provided in each of a plurality of treatment strands;

creating the plurality of treatment strands according to said tissue treatment plan by positioning treatment seeds in a mold and pouring introducing into the mold a material to mold the treatment seeds in place; and

wherein at least two of the plurality of treatment seeds have a custom distal end spacing between the end of each treatment strand and the adjacent treatment seed;

wherein the custom distal end spacings cause the treatment seeds located adjacent to distal ends of the at least two of the treatment strands to be properly spaced relative to the distal ends of the

treatment strands, according to the treatment plan, when the distal ends of the at least two of the treatment strands are implanted to the same depth using needles inserted to the same depth; and wherein the custom distal end spacings of the at least two of the treatment strands have different lengths.

27. (Currently Amended) The method of claim 26, wherein the ~~pouring step further comprises said material introduced into the mold~~ is bio-absorbable.

28. (Currently Amended) The method of claim 26 wherein ~~said pouring step further comprises said the material introduced into the mold~~ is a polymer.

29. (Currently Amended) A therapeutic device kit comprising:

a plurality of seed strands configured to be implanted into a patient to the same depth using needles that are inserted into the patient to the same depth, each having a length with a distal end; a plurality of seeds provided along the length of each of the seeds strands; the plurality of seeds being provided at spaced intervals along the length of each of the seed strands without the use of pre-fabricated spacers; and

custom end spacings according to a treatment plan provided between the seed located adjacent to the distal end of each of said seed strands and the distal end of each said seed strand, wherein the custom end spacings cause the seeds located adjacent to the distal ends of the seed strands to be properly spaced relative to the distal ends of the seed strands, according to the treatment plan, when the distal ends of the plurality of seed strands are implanted to the same depth using needles inserted to the same depth; and

wherein the custom end spacings of at least two of said plurality of seed strands have different said custom end spacings of different lengths.